IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY APPLICATION NO. 15 OF 2007
IN
COMPANY PETITION NO. 466 OF 1995

Trishakti Electronics & Industries Ltd. ... Applicants.

V/s.

Rossel Finance Ltd. & Ors. ... Respondents.

And

Sky Pack Courier Ltd. ... Petitioners.

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Mr. Pankaj Kowali i/b. U.M. Jhaveri for the Applicants.
Mrs. K.V. Gautam, Dy. O.L.

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CORAM : DR. D.Y.CHANDRACHUD,J.

13th April 2007.

P.C. :

. By an order dated 17th November 2000 passed by the learned Single Judge in Company Application 376 of 2000, the Company Application which was taken out by the Applicants for discharge of the Official Liquidator in respect of certain premises at Worli was allowed subject to the following conditions :-

> "The Applicants to deposit Rs.10.00 lacs with the Official Liquidator. If any balance remains after payments are made by the Official Liquidator as certified by the Official Liquidator, the said balance be refunded to the applicants. On the applicants depositing the amount of Rs.10.00 lacs, the Official Liquidator to hand over to the applicants the premises which they are in possession as agent of the Official Liquidator. On depositing the amount, the agency stands discharged."

2. In pursuance of the order, the Applicants deposited an amount of Rs.10 lakhs. In the reply filed by the Liquidator, it has been stated that on 8th May 2006, an amount of Rs.9.25 lakhs was returned to the Applicants after keeping a balance of Rs.75,000/- for valuation and advertising charges. The Company Application is for the refund of the balance of the amount of Rs.10 lakhs together with interest. Since an amount of Rs.9.25

lakhs has already been returned, that part of the prayer does not survive and the application is only pressed in regard to the prayer for interest.

3. The Official liquidator's affidavit states that he does not hold any amount on account of accrued interest. In any event the order of this Court dated 17th November 2000 does not provide for payment of interest. The Company Application is accordingly disposed of.